

VOL: I  
PAGES: 1-202  
EXHIBITS: 1-6

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

\* \* \* \* \*

SHEILA J. PORTER,  
Plaintiff

-vs-

ANDREA CABRAL; SUFFOLK COUNTY  
SHERIFF'S DEPARTMENT; SUFFOLK  
COUNTY and CORRECTIONAL MEDICAL  
SERVICES, INC.,  
Defendants

Civil Action  
No. 04-11935-DPW

\* \* \* \* \*

CONFIDENTIAL PURSUANT TO THE PROTECTIVE ORDER

DEPOSITION OF ELIZABETH KEELEY, ESQUIRE, a  
witness called on behalf of the Plaintiff, in the  
above-captioned matter, said deposition being  
taken pursuant to the Federal Rules of  
Civil Procedure, before Patricia M.  
McLaughlin, a Certified Shorthand Reporter and  
Notary Public in and for the Commonwealth of  
Massachusetts, at the offices of Goodwin Procter  
LLP, Exchange Place, Boston, Massachusetts, on  
Wednesday, May 11, 2005, commencing at 10:08 a.m.

McLAUGHLIN & ASSOCIATES COURT REPORTERS  
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1 violations to decide what action would be  
2 taken.

3 Q I believe you testified before that you had  
4 an opinion about what action should be taken;  
5 is that right?

6 A Yes.

7 Q What was your opinion?

8 A My opinion was that we should bar her from  
9 the facility.

10 Q And you related that to Sheriff Cabral?

11 A Yes.

12 Q Did you tell her what that opinion was based  
13 on?

14 A I told her it was based on what I had just  
15 related and the concerns that a nurse would  
16 not document a medical file; that that was  
17 for me pretty egregious; that not documenting  
18 something contemporaneous with what you hear  
19 or see is pretty significant, particularly in  
20 light of the context of an investigation into  
21 allegations of officer misconduct or  
22 excessive force or intentional abuse.

23 Q Was this the first time that Sheriff Cabral  
24 was made aware of Mrs. Porter's involvement

1 in the Rosario matter?

2 MS. CAULO: Objection.

3 A I don't know when she became aware. I know  
4 that in that conversation she had recently  
5 had conversation with Viktor Theiss, and I  
6 don't know to what extent Nurse Porter came  
7 up in that conversation. But she seemed to  
8 be aware of what I was discussing.

9 Q What did Sheriff Cabral say in response to  
10 your opinion?

11 A I recall at one point she asked me, well, how  
12 does that happen; if we are to bar her, how  
13 does that happen.

14 Q What did you say in response?

15 A My memory is I said that we notify the  
16 individual and then a written notice is given  
17 to the shift commander.

18 Q Did she say anything else with regard to  
19 Miss Porter at this time?

20 A I recall that she said that she should be  
21 barred.

22 Q Did she explain why she thought that she  
23 should be barred?

24 A I don't recall what she said. I know we



1 on the morning of June 10th, then it would  
2 have been within a matter of hours that I  
3 called her.

4 Q Tell me everything you remember about that  
5 conversation with Miss Mastrorilli.

6 A The first conversation I had with her, I  
7 called her, and I told her that the decision  
8 had been made to bar Sheila Porter. And my  
9 memory is that she said, okay, fine. That  
10 was the extent of the conversation.

11 Q Did you tell her why Miss Porter was being  
12 barred?

13 A I don't think so. Not in that conversation,  
14 no.

15 Q How did you leave it with Miss Mastrorilli?

16 A I think I left it like that.

17 Q You instructed her to bar Miss Porter?

18 A Yes.

19 Q Do you remember anything else about that  
20 conversation other than you telling  
21 Miss Mastrorilli that the decision had been  
22 made to bar Miss Porter?

23 A No, my memory is that that's what the  
24 conversation -- Mary Ellen may have said

1 flipped through some more pages, and I  
2 remember telling her her failure to file a  
3 timely report, her failure to document a  
4 medical file. And I remember that -- again,  
5 I'm not sure of the order, but it was failure  
6 to document a medical file, failure to file a  
7 timely report.

8 I may have mentioned that her failure to  
9 file a report -- my memory is that I said  
10 this: That failure to file a report  
11 interfered with an ongoing investigation;  
12 that her report was inconsistent with other  
13 reports of what people claim to have seen in  
14 terms of injuries to Rene Rosario, so that it  
15 was not a credible report.

16 I remember hesitating, because I wasn't  
17 sure whether I wanted to say this, but I  
18 remember pausing. And I said, "And you can  
19 share with her that because Rene Rosario has  
20 been talking about his role as an informant  
21 and he has mentioned her name in the context  
22 of cooperating with the FBI, that the  
23 department could not assure her personal  
24 safety."

1 Q Do you know whether or not the criminal  
2 investigation is still ongoing?

3 A I think it is, yes.

4 Q Are you familiar with a statement that was  
5 released to the press on August 25th, 2004,  
6 concerning Mrs. Porter that was released on  
7 behalf of the Sheriff's Department?

8 A I know of a statement we made. I'm not  
9 exactly sure that's the date, but we did  
10 release a statement in August of 2004.

11 Q Did you have any role in drafting that  
12 statement?

13 A Yes.

14 Q How would you describe your role?

15 A How did I do it?

16 Q What was your role? Did you physically draft  
17 the statement?

18 A I went to my computer and typed it on the  
19 screen.

20 Q You drafted the statement?

21 A I did.

22 Q Did you receive input from anybody to  
23 determine what should go into that statement?

24 A Yes.